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**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

TUAN ANH PHAM, an individual;

Plaintiff,

vs.

LAS VEGAS SUPERSTORE, INC., a  
Nevada Corporation

Defendants.

Case No. 2:14-CV-02085-GMN-PAL

**STIPULATION AND ORDER TO  
WITHDRAW MOTION TO DISMISS  
AND ALLOW PLAINTIFF TO FILE  
SECOND AMENDED COMPLAINT**

Plaintiff Tuan Anh Pham ("Plaintiff"), and Defendant Las Vegas Superstore, Inc. ("Defendant"), by and through their respective counsels of record, submit this stipulation wherein Defendant agrees to withdraw its Motion to Dismiss (Dkt. #17) and Plaintiff agrees to file a Second Amended Complaint which will address the deficiencies noted in Defendant's Motion, as well as clarify his claims to more properly put Defendant on notice of such claims. Plaintiff agrees to file the Second Amended Complaint by September 24, 2015. Nothing in this stipulation prevents Defendants from bringing a separate Motion to Dismiss following Plaintiff's Second Amended Complaint, if Defendant believes such Motion to be necessary at that time.

Moreover, Plaintiff also withdraws his Motion for Default (Dkt. #13).

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- 1) Defendant hereby withdraws its Motion to Dismiss (Dkt. #17) without prejudice;
- 2) Plaintiff is instructed to file a Second Amended Complaint by September 24, 2015;  
and
- 3) Plaintiff hereby withdraws his Motion for Default (Dkt. #13).

Dated: September 16, 2015

Respectfully submitted,

By: /s/ Adam R. Knecht  
Kurt R. Bonds, Esq.  
Adam R. Knecht, Esq.  
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Gloria M. Navarro, Chief Judge  
United States District Court

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